



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

LUCA DIFRONZO

Application granted in part. The deadline for Defendants to respond to the Complaint is extended to **December 15, 2023**. The Initial Case Management Conference will occur as scheduled on November 9, 2023. To the extent any individual defendants are not represented by counsel at that time, they shall attend the conference themselves. Plaintiff is advised that page 17 of the Complaint is difficult to read and he is directed to re-file the Complaint in an improved form by **November 6, 2023**. **Corporation Counsel is directed to mail copies of this Order to Plaintiff and the unrepresented individual defendants.**

VIA ECF

The Honorable R
United States M
Southern District
500 Pearl Street
New York, NY 10007

SO ORDERED:

Katharine H. Parker

HON. KATHARINE H. PARKER

UNITED STATES MAGISTRATE JUDGE 10/17/2023

Re: Torres v. the City of New York,

Your Honor:

I am an Assistant Corporation Counsel in the office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney for the City of New York, Mayor Adams, Commissioner Molina, Assistant Commissioner Thomas Griffin, Warden Antoinette Cort, Deputy Warden Morales, Captain Mathis, CO McNeil, and CO Damel Pinkney. I write to respectfully request a sixty day extension for defendants' time to respond to plaintiff's complaint from October 16, 2023 to December 15, 2023 and an adjournment of the initial case conference in this matter from November 9, 2023 to a date after December 18, 2023, as is most convenient for the Court.¹ This is the fourth and third request to modify the deadlines at issue, respectively. Because plaintiff is incarcerated, I have been unable to ascertain his position on these proposed adjournments.

This request is necessary for multiple reasons. First, this Office continues in conducting the representation process for a number of defendants plaintiff here intends to sue. Second, defendants expect the responsive pleading will take a considerable amount of time to draft, given the number of incidents plaintiff alleges. Finally, defendants cannot currently respond to one of plaintiff's claims as it appears in the version of the complaint filed on the docket. (See ECF No. 1 at 17). Towards that end, I respectfully move the Court for an order directing plaintiff to refile the complaint in a better quality form, such that defendants can respond to his argument pursuant to their Fed. R. Civ. P. 11(b) obligations.

¹ The City moves here *sua sponte* on behalf of defendants Ritter, Rivera, Barnaby, Shivraj, Troche, Marden, and Matos.

Defendants thank the Court for its consideration.

Respectfully submitted,

/s/ Luca Difronzo

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cc: **VIA POSTAL MAIL**
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